



Serial No. 10/624,149

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: NEUBAUER, A. et al

Art Unit: To be assigned

Serial No. : 10/624,149

Examiner: To be assigned

Confirmation No.: 5659

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For : gM-NEGATIVE EHV-MUTANTS WITHOUT HETEROLOGOUS
ELEMENTS

Docket No. : 1/1372

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH PRELIMINARY AMENDMENT

Sir:

In response to the Notice to Comply dated December 19, 2003, please enter the following amendments and consider the remarks below. Submitted herewith is: (1) a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("the Notice to Comply") dated December 19, 2003; (2) a copy of the Notice to Comply dated January 6, 2004; (3) a Substitute Sequence Listing in paper form; (4) a Substitute Sequence Listing in computer readable form ("CRF"); and (5) a Statement by Attorney Regarding Substitute Sequence Listing.

This Response is filed in answer to the Notice to Comply dated December 19, 2003. In that Notice to Comply, a two month shortened statutory period was set for response, a response is due on February 19, 2004 and this Response is therefore timely. If it is determined, however, that any fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this Response, authorization is hereby given to charge such fees to Deposit Account No. 02-2955. Triplicate copies of this paper are enclosed.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.